

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 8, 2010

DIVISION ONE

B222746 In re Darrell Chambers on Habeas Corpus (Not for Publication)

The petition for a writ of habeas corpus is granted, and the decision of the Board of Parole Terms is hereby vacated. The Board is directed to conduct a new parole-suitability hearing consistent with due process and *In re Prather, supra*, 50 Cal.4th 238.

Chaney, J.

We concur: Mallano, P.J.
 Rothschild, J.

B198165 People (Not for Publication)
 v.
 Perez

Defendant's convictions in counts 5, 7, 9, 11, 13, 15, and 17 are reversed and may not be retried. All enhancement allegations found true for these counts are also reversed. In all other respects, the judgment is affirmed. The cause is remanded for resentencing, and the trial court is directed to award 57 days of presentence conduct credits and issue an amended abstract of judgment.

Mallano, P.J.

I concur: Rothschild, J.

DIVISION TWO

[illegible]

The trial court's decision denying appellant's motion to relieve his retained attorney is reversed, and the matter is remanded to allow appellant to discharge his retained attorney. Although this requires a reversal of the judgment, a retrial is not required. When new counsel is retained or appointed, the case shall proceed from the point at which appellant originally sought to discharge his attorney.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION THREE

B217063 Mary Lou Smith
v.
Pneumo Abex LLC

Filed order denying petition for rehearing.

B217063 Mary Lou Smith
v.
Pneumo Abex LLC

Filed order modifying opinion. (No change in the judgment)

B223625 Jerry Darnell Anthony
v.
S.C.L.A.
The People

Filed order denying petition for rehearing.

DIVISION FOUR

B221466 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Marcos C., Sr.

The judgment is affirmed.

Willhite, Acting P.J.

We concur: Manella, J.
 Suzukawa, J.

B209418 Kalesniko (Not for Publication)
v.
Ruff

The judgment is reversed solely with respect to the determinations concerning Kalesniko's car, and the matter is remanded for further proceedings regarding the potentially unauthorized deletion of the judgment provision concerning Kalesniko's car, in accordance with this opinion (see pt.C.3., *ante*). The judgment is affirmed in all other respects. Ruff's appeal is dismissed to the extent she challenges the posttrial order. Kalesniko is awarded his costs on appeal.

Manella, J.

We concur: Epstein, P.J.
 Suzukawa, J.

DIVISION FIVE

Court convened at 9:00 a.m.

Present: Turner, P.J., Armstrong, J., Kriegler, J. and D. Nolan, Deputy Clerk.

DIVISION FIVE (continued)

Each of the following:

B219277 People v. Bryant
B221370 People v. Toussain
B221343 People v. Abrego

Argument waived, cause submitted.

B221639 The People
 v.
 Lexington National Insurance Co.,

Merits:

Argued by Shirley S.N. Sun, deputy attorney general for appellant and by Jacob A. Shabaz for respondent. Cause submitted.

B219520 Edi Faal
 v.
 Solomon Davis

Merits:

Argued by Charles V. Simonetti for appellant and by Renee L. Campbell for respondent. Cause submitted.

Court recessed.

Court reconvened 9:57 a.m.

Present: Turner, P.J., Armstrong, J., Kriegler, J. and D. Nolan, Deputy Clerk.

B218928 People
 v.
 Edgar Navasardyan

Merits:

Argued by G. Martin Velez for appellant and by Yun K. Lee, deputy attorney general for respondent. Cause submitted.

October 8, 2010 (Continued)

DIVISION FIVE (continued)

Court recessed.

Court reconvened at 11:00 a.m.

Present: Armstrong, Acting P.J., Mosk, J., Kriegler, J. and D. Nolan, Deputy Clerk.

Each of the following:

B218794 People v. Mo
B220483 Shaoxing County Huayue Import v. Bhaumik
B220564 People v. Flores
B216739 People v. Majano, et al.,
B223295 In re Aedan K. (DCFS v. D.C.)
B217864 People v. Roberts
B218373 People v. Nesbitt

Argument waived, cause submitted.

B223781 Los Angeles County, D.C.F.S.
 v.
 Alma G.
 In re Angela S., A Person Coming Under the Juvenile Court Law

Merits:

Argued by Roland M. Koncan for appellant and by O. Raquel Ramirez,
deputy county counsel for respondent Cause submitted.

Court recessed.

Court reconvened at 1:00 p.m.

Present: Armstrong, Acting P.J., Mosk, J., Kriegler, J. and D. Nolan, Deputy Clerk.

DIVISION FIVE (continued)

B215987 People
 v.
 James Musselman, et al.,

Merits:
Argued by Deborah L. Hawkins for appellant Sarita Elizalde, by Donna L. Harris for appellant James Musselman and by Robert C. Schneider, deputy attorney general for respondent. Cause submitted.

B216650 James L. Brown
 v.
 Milton C. Grimes

Merits:
Argued by Stuart B. Esner for appellant and by Paul J. Warford for respondent. Cause submitted.

Court adjourned.

B217539 People
 v.
 Cliftone Semedo

Filed order modifying opinion. (No change in the judgment)

B217188 Lawrence Pasternack
 v.
 Vision West

Filed order denying petition for rehearing.